

1 The Honorable Marsha J. Pechman
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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON

12 IN RE WASHINGTON MUTUAL
13 MORTGAGE BACKED SECURITIES
14 LITIGATION

15 This Document Relates to: ALL CASES

16 Master Case No.: C09-0037 (MJP)

17 **THIRD STIPULATED MOTION
18 MODIFYING BRIEFING SCHEDULE ON
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION; SECOND
STIPULATED MOTION MODIFYING
BRIEFING SCHEDULE ON
DEFENDANTS' MOTION FOR
JUDGMENT ON THE PLEADINGS;
[PROPOSED] ORDER MODIFYING
BRIEFING SCHEDULES**

19 **NOTE ON MOTION CALENDAR:
20 July 19, 2011**

I. STIPULATION

Pursuant to the Second Stipulated Motion Modifying Briefing Schedule on Defendants' Opposition to Plaintiffs' Motion for Class Certification; Order Modifying Briefing Schedule entered by the Court on May 9, 2011 (Dkt no. 245), the current deadline for Lead Plaintiffs' reply to Defendants' Opposition to Plaintiffs' Motion for Class Certification is July 27, 2011.

Pursuant to the Stipulated Motion Modifying Briefing Schedule on Defendants' Motion for Judgment on the Pleadings; Order entered by the Court on July 7, 2011 (Dkt no. 265), the current deadline for Lead Plaintiffs' opposition to Defendants' Motion for Judgment on the Pleadings is July 27, 2011. The deadline for Defendants' reply in further support of their Motion for Judgment on the Pleadings is August 3, 2011.

Pursuant to Local Rules 7(d)(1) and 10(g), the parties jointly request:

- to extend the deadline for Lead Plaintiffs' reply and the noting date for Lead Plaintiffs' Motion for Class Certification to August 26, 2011;
- to extend the deadline for Lead Plaintiffs' opposition to Defendants' Motion for Judgment on the Pleadings to August 26, 2011;
- to extend the deadline for Defendants' reply in further support of their Motion for Judgment on the Pleadings to September 2, 2011; and
- that the noting date for Defendant's Motion for Judgment on the Pleadings be re-noted from August 3, 2011 to September 2, 2011.

The extensions agreed to and submitted above are necessary because there are no dates prior to August 17, 2011 on which all parties and Dr. Christopher M. James, Defendants' proposed expert whose report was cited by Defendants in their Opposition to Plaintiffs' Motion for Class Certification and Motion for Judgment on the Pleadings, are available for the deposition of Dr. James. Unless the current schedule is altered, Lead Plaintiffs will be unable to use the information gathered at the deposition of Dr. James in their reply to Defendants' Opposition to Plaintiffs' Motion for Class Certification or their opposition to Defendants' Motion for Judgment on the Pleadings.

1 The parties met and conferred on July 14 and 15, 2011 regarding the briefing schedules
 2 and agreed on the proposed deadlines set forth herein. Should the Court grant this stipulated
 3 motion, the remaining deadlines set in the October 29, 2010 Scheduling Order (Dkt no. 207) will
 4 not be disturbed, nor will the requested extension delay the completion of other discovery or any
 5 other aspect of this action. Fact discovery does not close until December 1, 2011, and the parties
 6 are conducting non-class related fact discovery at the same time as class-certification related
 7 discovery and briefing.

8 For the reasons provided above, the parties respectfully request that the Court enter an
 9 order extending the briefing deadlines detailed herein.

10 Dated: July 19, 2011

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21 Dated July 19, 2011

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28 STIPULATED MOTION MODIFYING BRIEFING SCHEDULES - 3
(NO. 2:09-CV-0037-MJP)
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II. ORDER

IT IS SO ORDERED.

Dated: _____

Hon. Marsha J. Pechman
United States District Judge